

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

SYNTHES (U.S.A),

Plaintiff,

v.

HOWMEDICA OSTEONICS CORPORATION
(d/b/a STRYKER ORTHOPAEDICS),

Defendant.

Civil Action No. 06-5681-AB

District Judge Anita B. Brody

FINAL CONSENT JUDGMENT

Plaintiff Synthes (USA) (“Synthes”) and defendant Howmedica Osteonics Corporation (d/b/a Stryker Orthopaedics) (“Stryker”) have entered into a Confidential Settlement Agreement dated December 29, 2009, and agree to final judgment as follows:

1. The Court has jurisdiction over the Parties and subject matter of this action.

Venue of this action properly lies in this district.

2. Synthes commenced the present action against Stryker, asserting infringement of Synthes U.S. Patent No. 5,976,141 by Stryker’s making, using, selling, and offering for sale Stryker’s AXSOS and OMEGA 3 systems, which systems include plates, screws (locking and non-locking), and inserts.

3. Synthes is the owner and assignee of the U.S. Patent No. 5,976,141, and has standing to enforce the patent.

4. All claims set out in the Complaint are dismissed with prejudice, and this Consent Judgment shall constitute the final judgment of any claims and counterclaims that could have

been brought concerning the subject matter of the pending action. Each Party shall bear its own costs.

5. This matter will be closed, but the Court retains jurisdiction over the Parties and this action for the purposes of enforcing this Consent Judgment and the Confidential Settlement Agreement entered into by the Parties.

CONSENTED TO:

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By: Eric Kraeutler
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Dated: 12/31/09

SO ORDERED:

Dated: 1/11/10
Philadelphia, Pennsylvania

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By: William L. Mentlik
William L. Mentlik

Dated: 1/4/10

Anita B. Brody
Anita B. Brody
United States District Judge